



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/549,698

07/14/2006

Masanori Sakai

1592-0178PUS1

9561

2292 7590 10/16/2009  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER

CHEN, KEATH T

ART UNIT

PAPER NUMBER

1792

NOTIFICATION DATE

DELIVERY MODE

10/16/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

### **DETAILED ACTION**

1. Applicants' proposed claim amendment, filed on 10/05/2009, is not entered because the new limitations of claims 1, 4, 9, and 10 require further consideration and/or search.

### ***Response to Arguments***

Applicants' arguments filed 10/05/2009 have been fully considered but they are not persuasive.

Most of Applicants' arguments directed to the new claim limitations and will not be addressed here. Only arguments that are related to the previous rejection will be addressed below.

2. Applicants argue that the controller function are not taught in the prior arts, despite being intended use. See the bridging paragraph of page 9 and 10.

This argument is found not persuasive.

'923's controller #74, controlling various valves, is capable of alternately supply of the one gas after another, therefore, met the structure requirement of the claim. The functional part is merely intended use of the apparatus does not add other structure limitation. Note Applicants did not point out any structure difference of the controller.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEATH T. CHEN whose telephone number is (571)270-1870. The examiner can normally be reached on 6:30AM-3 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on 571-272-1418. The fax phone

Art Unit: 1792

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. T. C./  
Examiner, Art Unit 1792

/Michael Cleveland/  
Supervisory Patent Examiner, Art Unit 1792